IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3996 OF 2004

Abid Ansari Mohamad Yusuf & Ors... Applicants.

Versus

State of Maharashtra..... .. Respondent.

Mr.R.T.Walawalkar with Mr. S.T.Gaikwad
for the Applicant.

Mr.V.D.Konde-Deshmukh, APP for Respondent.

CORAM : A. M. KHANWILKAR, J.

DATED : 17TH SEPTEMBER, 2004.

P.C.:

Heard learned Counsel for the parties.

2. I find no reason to release the applicants on anticipatory bail. The investigation is still in progress. The role of applicants has been specified in the first information report as well as the subsequent material collected during the investigation. Learned Counsel for the applicants, however, submits that the Court below has relied on

decisions which have no application to the fact situation of the present case. Assuming that the learned Counsel may be justified in submitting that the decisions which were pressed into service before the Court below cannot be said to be applicable to the fact situation of the present case, but to my mind, no fault can be found with the view taken by the Court below that the role played by the applicants is specified and that prima facie case was made out from the material already collected. Hence dismissed.

3. At this stage, learned Counsel for the applicants prays that the applicants be granted some time to surrender. This request is opposed by the learned Public Prosecutor. For the nature of offence, I see no reason to accede to the request made on behalf of the applicants.

4. All Authorities concerned to act on an ordinary copy of this order duly authenticated as true copy by the Office.

Sd/-

(A. M. KHANWILKAR, J.)